

1 DAVID T. BIDERMAN, Bar No. 101577
2 JUDITH B. GITTERMAN, Bar No. 115661
3 M. CHRISTOPHER JHANG, Bar No. 211463
4 **PERKINS COIE LLP**
5 180 Townsend Street, 3rd Floor
6 San Francisco, California 94107-1909
Telephone: (415) 344-7000
Facsimile: (415) 344-7050
Email: DBiderman@perkinscoie.com
Email: JGitterman@perkinscoie.com
Email: CJhang@perkinscoie.com

7 || Attorneys for Defendant Google, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

1 CLRB HANSON INDUSTRIES, LLC d/b/a
2 INDUSTRIAL PRINTING, and HOWARD
3 STERN, on behalf of themselves and all others
similarly situated,

14 Plaintiff,

15 || v.

16 || GOOGLE, INC.,

Defendant.

CASE NO. C 05-03649 JW

**DECLARATION OF M.
CHRISTOPHER JHANG IN SUPPORT
OF DEFENDANT GOOGLE, INC.'S
MOTION TO DISMISS PLAINTIFFS'
COMPLAINT**

Fed. R. Civ. P. 12(b)(6), 9(b)

Date: December 5, 2005

Time: 9:00 a.m.

Place: Courtroom 8

Judge: Honorable James Ware

19

20

21

22

23

24

25

26

27

28

**DECLARATION IN SUPPORT OF DEFENDANT
GOOGLE, INC.'S MOTION TO DISMISS PLAINTIFFS'
COMPLAINT**

CASE NO. C 05-03649 JW

1 I, M. Christopher Jhang, declare as follows:

2 1. I am an attorney duly licensed to practice law in all of the courts of the State
 3 of California and this Court, and am an attorney with the law firm of Perkins Coie LLP,
 4 attorneys of record herein for defendant Google, Inc. I have personal knowledge of the
 5 following facts and, if called to testify, could and would do so truthfully.

6 2. Plaintiffs CLRB Hanson Industries LLC d/b/a Industrial Printing and Howard
 7 Stern (“Plaintiffs”) attached to their complaint in this action their Exhibit A, which was not a
 8 page-numbered document. For the Court’s convenience, I have page-numbered Plaintiffs’
 9 Exhibit A and attached the page-numbered version as the first exhibit to this declaration. Aside
 10 from the page numbers, Plaintiffs’ Exhibit A and the first exhibit to this declaration are identical.
 11 Attached hereto as Exhibit A is a true and correct page-numbered copy of Plaintiffs’ Exhibit A.

12 3. Attached hereto as Exhibit B is a true and correct copy of the glossary definition
 13 of the term “Daily Budget” under the AdWords program. This definition was obtained from the
 14 Google AdWords home webpage by clicking on the link entitled “Program Details and FAQ,”
 15 then clicking on the link entitled “Glossary,” and then clicking on the link entitled “Daily
 16 Budget.”

17 I declare under penalty of perjury under the laws of the State of California and the United
 18 States that the foregoing is true and correct.

19 Executed this 12th day of October, 2005, at San Francisco, California.

20 _____ /s/
 21 M. Christopher Jhang
 22
 23
 24
 25
 26
 27